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Inter-American Bar Association

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INTER-AMERICAN BAR ASSOCIATION

JOHN O. DAHLGREN

*Secretary General
Inter-American Bar Association*

The Inter-American Bar Association continues growing steadily. As of October 31, 1970, its membership consisted of 2,900 individual members and 89 member associations throughout the Western Hemisphere. It is hoped that as a result of the membership drive initiated pursuant to Resolution 60 of the XVI Conference, the number of members will increase considerably.

COUNCIL MEETING IN CARTAGENA

This meeting was held as scheduled, October 9 to 12, in Cartagena, Colombia. Several individual members of the Association, not members of the Council, also attended and several member associations of IABA were represented by specially appointed delegates. The *Colegio de Abogados de Bolivar*, the host association, provided the facilities for the meeting and arranged an excellent program. It was a well attended and very successful meeting. Those who attended will long remember the fine hospitality of the Colombian lawyers.

Many important matters were discussed and decided by the Council at this meeting. The Committee structure was slightly changed, after careful consideration of constructive recommendations by Committee Chairmen and officers of the Association. A revised Committee structure will be prepared at the Headquarters Office and made available shortly.

XVII CONFERENCE

The Council decided to defer for consideration and decision by the Executive Committee the site and date for the XVII Conference which is expected will be held in the fall of 1971 or early in 1972. The Central Theme for this Conference will encompass the legal profession and human rights.

IABA PUBLICATIONS

The Proceedings of the IABA biennial Conferences are generally published by the host association.

XV Conference — San José, Costa Rica, 1967 — The Proceedings of this Conference have been published and are now available for distribution. This is a one volume publication, 123 pp., with English and Spanish texts. The price is \$5.00 per copy.

XVI Conference — Caracas, Venezuela, 1969 — Arrangements are being made by the Organizing Committee for the publication of these Proceedings in Caracas. It is expected that they will become available for distribution in the near future.

Letter to Members — A quarterly Letter to Members is published and forwarded from the IABA Headquarters Office to all members of the Association to keep them informed of current program and activities, as well as of meeting of interest to the legal profession in the Hemisphere.

Lawyer of the Americas — This publication, published three times a year by the Institute for Inter-American Legal Studies of the University of Miami, is co-sponsored by the IABA. Among its features is a Report by the Secretary General of the IABA. Yearly subscription is \$6.00.

The Association has a number of libraries, law schools and other organizations as permanent subscribers to its publications.

COOPERATION WITH INTERNATIONAL ORGANIZATIONS

Organization of American States — The IABA continues to maintain close and cooperative relations with the Organization of American States. This year, the Association has been represented by observers at the following meetings of the OAS:

- Eighth Special Meeting of the Inter-American Economic and Social Council at the Ministerial Level, held at Caracas, Venezuela, February 3-6, 1970.
- Fifth Meeting of Inter-American Telecommunications Commission (CITEL), held at Bogotá, Colombia, July 22-29, 1970.
- First Regular Meeting of Inter-American Council for Education, Science and Culture (CIECC), held at Viña del Mar, Chile, September 10-17, 1970.

United Nations — The IABA also maintains good relations with this organization. During the past six months, the Inter-American Bar Asso-

ciation has been invited to be represented by observers at the following meetings:

- Fifth Session of Codex Commission on Food Labelling, held at Rome, April 6, 1970
- Second Meeting of the Expert Group of Tax Treaties between Developed and Developing countries, held at Geneva, April 21 to May 1, 1970.
- Meeting of Experts on the financial and legal aspects of the improvements and maintenance of waterways for international navigation, organized by the United Nations Institute for Training and Research (UNITAR), held at Buenos Aires, Argentina, November 30 — December 4, 1970.

INTER-AMERICAN ACADEMY OF INTERNATIONAL AND COMPARATIVE LAW

The meeting of the Curatorium of the Academy which was scheduled to be held in Cartagena, Colombia, during the IABA Council meeting, was postponed and will be held during the XVII Conference of IABA.

PRELIMINARY TOPICS FOR XVII CONFERENCE

The following topics were approved by the Council for consideration by the various Committees for the XVII Conference. Some of these topics are in accordance with specific resolutions of the XVI Conference and others have been suggested by our members. Additional topics will be considered by the Council prior to the XVII Conference. No topics have been approved, as yet, for the Committees and Sections not listed below.

COM. I — PUBLIC INTERNATIONAL LAW

Topic 1. The challenge of oceanography.

Topic 2. Contemporary principles of the law of the sea: Some legal aspects of oceanic regimes.

Topic 3. Problems of environmental management — A focus on inland and ocean waters.

Topic 4. Industry's desire that the legal profession develop a workable sea bed regime.

Topic 5. Peaceful exploitation of national resources of the sea bed and ocean floor: a) living resources; b) oil and gas; c) hard minerals.

COM. II — PRIVATE INTERNATIONAL LAW

Topic 1. International judicial cooperation in penal matters.

Sec. A. International Judicial Procedure

Topic 1. The Hague Convention on serving documents.

Topic 2. The Hague Convention on obtaining evidence.

COM. III — CONSTITUTIONAL LAW

Topic 1. The application of constitutional law to nationalization and expropriation of property.

Sec. B. Delay and Congestion in the Courts

Topic 1. The desirability of creating a Western Hemisphere Central Computer Clearing House on Court delay and congestion.

Topic 2. Study of the various systems established in the American nations to prevent delay and congestion in the Courts.

COM. IV — MUNICIPAL LAW

Topic 1. Increasing problems of urban unrest as a threat to the rule of law.

Topic 2. Is the evolution of municipal law meeting the challenge of metropolitan growth?

COM. VI — CIVIL AND COMMERCIAL PROCEDURE

Sec. A. Inter-American Commercial Arbitration

Topic 1. Comparative analysis of commercial arbitration laws in the Western Hemisphere.

Topic 2. Relationship of arbitration procedures to those in Eastern Europe, Western Europe and Asia.

Topic 3. Arbitration between private companies and State-owned autonomous corporations.

COM. VIII — CRIMINAL LAW AND PROCEDURE

Topic 1. The admissibility in evidence of a pretrial statement made by a defendant who does not have counsel.

Topic 2. Arbitrary deprivation of liberty and habeas corpus .

Topic 3. Rehabilitation of the criminal.

Topic 4. Should the possession or sale of marijuana or LSD be a crime?

Topic 5. The classification of the delinquent.

Topic 6. Sex problems in jail.

COM. IX — ADMINISTRATIVE LAW AND PROCEDURE

Topic 1. Codification of administrative law.

COM. X — FISCAL LAW

Sec. A. Taxation

Topic 1. Effects of inflation on the tax burden (Res. 26)

COM. XI — LEGAL ASPECTS OF DEVELOPMENT AND INTEGRATION

Topic 1. Report on legal problems of multinational corporations.

Topic 2. Legal problems of the Permanent IAECOSOC Special Committee for Consultation and Negotiation.

Sec. A. Legal Aspects of Economic Development and Integration

Topic 1. Progress in harmonizing the legal aspects of the Latin American Free Trade Association, the Central American Common Market and the Andean Pact.

Sec. C. Monopoly and Restrictive Commercial Practices

Topic 1. Model Antitrust Law (Res. 36)

Topic 2. Report on legislation relating to antitrust and unfair competition.

COM. XIV — ACTIVITIES OF LAWYERS

Sec. B. Professional Standards of Conduct

Topic 1. Draft Model Code of Professional Ethics.

Sec. C. Assistance and Social Security for Lawyers

Topic 1. The status of social security legislation in the American nations as it relates to lawyers.

Sec. D. Legal Aid

Topic 1. Why the apathy of legal aid in Latin American countries?

COM. XV — NATURAL RESOURCES

Sec. B. Laws Concerning Agriculture

Topic 1. Study of laws on agrarian reform in American nations.

COM. XVI — SPACE LAW

Topic 1. International Symposium on Space Law.

Sec. A. Space Communications

Topic 1. Comparative study of national legislation in the American nations affecting terrestrial and space communications, including copyright law. (Res. 45)

COM. XVII — MILITARY LAW

Topic 1. A study concerning the feasibility and potential of a Judge Advocate's General group.

Topic 2. A study of the application of the laws of war to guerrilla warfare and to those individuals who advocate guerrilla warfare and other subversive activities.

Topic 3. A comparative analysis of the domestic laws of the nations of the Inter-American system which are designed to combat subversive activities.

PERMANENT COMMITTEES OF IABA

There are now 21 Permanent Committees in the Association, including a new Younger Lawyers Committee which was authorized by the Council at its recent meeting in Cartagena. These Committees cover almost every field of the law. During the period of the biennial Conferences, the Committees meet separately to discuss papers presented by its members and draft resolutions which are considered by the Council and, subsequently, by the Assembly. Those resolutions approved by the Assembly are adopted as Conference resolutions.

INTER-AMERICAN TAXATION CONGRESS

Committee X (Fiscal Law), under the chairmanship of Dr. Manuel de Juano, Rosario, Argentina organized the First Inter-American Congress on Taxation held in Rosario, Argentina, November 1 to 8, 1970. The objectives of the meeting were to coordinate the national tax power with the juridical, scientific, political and technological progress of the American

nations so as to harmonize the needs of the governments, but having in mind the capability of the taxpayers to contribute, and the principles that support human dignity. Other objectives of the meeting were: a) to improve taxation institutions; b) to adapt taxation to the development needs of the American nations; c) to encourage economic integration in the American nations by means of a balanced and reasonable fiscal activity; d) to place the inspection by tax authorities within the limits established by the tax laws and the respect to the fundamental rights of the taxpayer. The topics discussed at the Congress covered the juridical, scientific, political and technological aspects of fiscal law.

The Congress was attended by outstanding jurists, tax experts and economists throughout the Western Hemisphere as well as Government officials of Argentina.

NUCLEAR LAW

Pursuant to Resolution 52 of the XVI Conference held in Caracas, Venezuela, November 1-8, 1969, Committee XX (Nuclear Law), under the chairmanship of William Mitchell, Esq., Washington, D.C., prepared a revised text of the document approved at that Conference, containing a draft treaty to establish the Latin American Nuclear Common Market (LANCOM) and an *exposé des motifs*, in accordance with the deliberations of that Conference. Copies of this document, dated August 1970, have been distributed to the governments of the Member States of the Organization of American States, the Inter-American Nuclear Energy Commission, other international organizations and to the Council members and national member associations of IABA, for their information.